

# PUBLIC ACCESS ROOM NEWSLETTER

A division of the Legislative Reference Bureau

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## Legislative Timetable

### January

14<sup>th</sup> Prefiling of Bills.  
21<sup>st</sup> Opening Day.  
26<sup>th</sup> State-of-the-State Address.  
28<sup>th</sup> Last day for introduction of bills.

### February

20<sup>th</sup> First Lateral.

### March

5<sup>th</sup> First Decking - last day to file non-budget bills.  
9<sup>th</sup> Last day to file budget bills.  
11<sup>th</sup> First Crossover.  
16<sup>th</sup> - 22<sup>nd</sup> Mandatory 5-day recess.  
24<sup>th</sup> Last day to introduce substantive resolutions.  
25<sup>th</sup> Second Lateral.

### April

7<sup>th</sup> Last day for floor presentations.  
8<sup>th</sup> Second Decking - last day to file bills in non-originating body.  
15<sup>th</sup> Second Crossover - last day to disagree.  
16<sup>th</sup> First Crossover for Concurrent Resolutions.  
22<sup>nd</sup> Deadline for final form of constitutional amendments.  
26<sup>th</sup> Second Crossover for Concurrent Resolutions.  
29<sup>th</sup> Last day to file non-fiscal bills to deck for Final Reading.  
30<sup>th</sup> Last day to file fiscal bills to deck for Final Reading.

### May

6<sup>th</sup> Adjournment Sine Die.

## HOT BILLS OF 2004

This list of measures has been compiled by the PAR. The bills have been selected for this list based upon significant public interest and current activity in the legislature. The "current status" reflects the status as taken at press time on April 23rd, 2004. To find the latest updates on the status of these measures or any others of interest, please visit the legislature's website at [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov).



## Traffic

### HB1770 HD1 SD2

**Measure Title:** RELATING TO MOTOR VEHICLES.

**Report Title:** Motor Vehicle Alarm Systems; Nuisance; Speeding

**Description:** Increases fines for repeatedly allowing car alarm to sound for longer than 5 minutes. Allows court to revoke driver's license for speeding more than 90 mph. (SD2)

**Current Status:** 4/22 - Conference Committee Meeting will reconvene on Friday 04-23-04 at 3:45 pm in conference room 224.

### SB2344 SD1 HD2

**Measure Title:** RELATING TO HIGHWAY SAFETY.

**Report Title:** Highway Safety

**Description:** Establishes the photo speed imaging detector and photo red light imaging systems program. Authorizes counties to administer the program. (SB2344 HD2)

**Current Status:** 4/22 - Conference committee meeting to reconvene on 04-28-04 at 1:00 pm in conference room 224.



## Education

### SB3238 SD2 HD2

**Measure Title:** RELATING TO EDUCATION.

**Report Title:** Education Reform; Weighted Student Formula

**Description:** Implements education reform and decentralization measures; establishes a weighted student formula for providing operating moneys to individual public schools. (SB3238 HD2)

**Current Status:** 4/15 - Enrolled to Governor (Senate)



## Health

### HB189 HD2 SD2

**Measure Title:** RELATING TO EMERGENCY CONTRACEPTIVES FOR SEX ASSAULT SURVIVORS IN EMERGENCY ROOMS.

**Report Title:** Sexual Assault; Emergency Contraceptives; Training; Enforcement

**Description:** Requires hospitals to provide information on emergency contraception to sexual assault victims and provide emergency contraception when requested; requires training on sexual assault and emergency contraceptives to those who treat survivors; provides for enforcement and penalties. (SD2)

**Current Status:** 4/20 - Senator(s) Baker, Hanabusa appointed as Co-Chair(s), Chun Oakland, Inouye.  
4/15 & 4/19 - House conferees appointed: Arakaki, Hamakawa, Takamine Co-Chairs; Lee, Ching

### HB1839 HD2 SD2

**Measure Title:** RELATING TO PAIN PATIENT'S BILL OF RIGHTS.

**Report Title:** Pain Patient's Bill of Rights

**Description:** Gives rights to pain patients; authorizes doctors to prescribe medically necessary dose of controlled substance to treat intractable pain; allows refusal to so prescribe but requires informing patient of other doctors who use opiates to treat chronic intractable pain; authorizes board of medical examiners to establish pain management guidelines. (SD1)

**Current Status:** 4/22 - Bill scheduled for Conference Committee Meeting on Monday, 04-26-04 at 3:45 pm in conference room 229.

### HB2005 HD1 SD1

**Measure Title:** RELATING TO PRESCRIPTION DRUGS.

**Report Title:** Prescription Drugs; Return, Credit, Reuse; Drug Repository

**Description:** Establishes return, credit, and re use procedures for unused prescription drugs within health care institutions. Authorizes donated drug repositories. Authorizes pharmacists to receive and redistribute previously dispensed drugs. Requires DOH study on drug repository program. (SD1)

**Current Status:** 4/21 - Bill scheduled for Conference Committee Meeting on Monday, 04-26-04 at 3:30 pm in conference room 229.

### SB3237 SD1 HD1

**Measure Title:** RELATING TO PRESCRIPTION DRUGS.

**Report Title:** Rx Plus

**Description:** Establishes program goals, and adopts income and other eligibility requirements, for state discounted drug prescription program, renamed "Rx Plus." Requires creation of preferred drug list and review by pharmacy and therapeutic committee. Clarifies consequences of manufacturer or labeler nonparticipation. Appropriates funds for the program. (SB3237 HD1)

**Current Status:** 4/16 – Enrolled to Governor (Senate)



## Crime

### SB2842 SD1 HD4

**Measure Title:** RELATING TO CHAPTER 846E, HAWAII REVISED STATUTES.

**Report Title:** Relating to Chapter 846E, HRS

**Description:** Requires persons convicted of crimes involving child pornography to register as sex offenders. Makes other amendments to the sex offender registry statute. Establishes a task force to study public access to sex offender registration. (SB2842 HD4)

**Current Status:** 4/16 – Senate agrees w/ House Amendments. Placed in calendar for Final Reading on 4/26/2004

### SB2843 SD1 HD2

**Measure Title:** PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.

**Report Title:** Proposing an Amendment to Article I of the Constitution of the State of Hawaii (ConAm)

**Description:** Proposes a constitutional amendment providing for a public right to access information regarding persons convicted of certain sexual offenses, as determined by the legislature. (SB2843 HD2)

**Current Status:** 4/16 – Senate agrees w/ House Amendments. Placed on calendar for Final Reading on 4/26/2004

### SB2846 SD1 HD2

**Measure Title:** PROPOSING AMENDMENTS TO ARTICLE I, SECTION 14, OF THE HAWAII CONSTITUTION.

**Report Title:** Constitutional amendment re privileged confidential communications (ConAm)

**Description:** Proposes an amendment to Article I, Section 14, of the State Constitution to permit the legislature to pass legislation to provide for the inadmissibility of privileged confidential communications between an alleged crime victim and the alleged victim's physician, psychologist, counselor or licensed mental health professional. (SB2846 HD2)

**Current Status:** 4/16 – Senate agrees w/ House Amendments. Placed on calendar for Final Reading on 4/26/2004



## Illegal Drugs

### HB2003 HD1 SD1

**Measure Title:** RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES.

**Report Title:** Relating To Substance Abuse; Substance Abuse Omnibus Bill

**Description:** Adds and amends various laws relating to criminal conduct for drug related offenses, amends laws relating to first time nonviolent drug offender diversion to substance abuse treatment, adds tort liability for drug dealers, amends the zero tolerance rule for public school students who are charged with drug offenses, amends existing law to provide parity in health insurance benefits for substance abuse, amends the duties of the Department of Public Safety to include coordination of the drug abatement efforts between public, private and community organizations, adds new law on civil commitment for substance abuse outpatient treatment, adds new laws to facilitate the development of drug rehabilitation homes for recovering addicts, amends the nuisance abatement laws to permit citizen's to recover attorneys' fees and to be protected in the same way as victims of crimes are protected and adds responsibility for methamphetamine removal to the responsibilities of the department of health. (SD1)

**Current Status:** 4/15 – Transmitted to Governor (House)

## HB2004 HD1 SD1

**Measure Title:** RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES.

**Report Title:** Crime Reduction; Crystal Meth Treatment; Task Force Measures (\$)

**Description:** Makes appropriations for crystal methamphetamine (crystal meth) treatment, prevention, rehabilitation, education, environmental damage assessment, and program monitoring to Department of Health. Makes appropriations to the Judiciary to expand services provided by the drug courts and for treatment of first-time, nonviolent drug offenders and probation violators. Makes appropriations to Department of Public Safety for treatment services for parole violators and to expand canine drug interdiction efforts. Makes appropriations to county governments for grassroots community mobilization efforts; provided that county funds are matched by federal forfeiture funds and makes an appropriation for community adolescent drug prevention programs on the island of Hawaii. Makes appropriation to county governments to fund community-based substance abuse prevention programs. Makes appropriations to Department of Public Safety to coordinate community-based drug abatement efforts to fight the crystal meth epidemic. Makes appropriation to expand Weed and Seed program. Provides tax credit for substance abuse prevention education. Establishes a substance abuse treatment monitoring program requiring state agencies to collect data and access program effectiveness. Establishes a multi-agency task force to respond to the effects of crystal meth on children and makes appropriation for expenses. Makes an appropriation to the KASHBOX program. (SD1)

**Current Status:** 4/15 – Transmitted to Governor (House)

## HB2206 HD1 SD1

**Measure Title:** RELATING TO CONTROLLED SUBSTANCES.

**Report Title:** Controlled Substances; Precursor Chemicals

**Description:** Updates the controlled substance list. Allows the department of public safety by rule to temporarily revise or amend the regulated list 1 or 2 of chemicals pending a subsequent legislative session. Adds gamma hydroxybutyric acid (GHB) to the list of the depressants. Adds GHB to the definition of dangerous and harmful drugs. (SD1)

**Current Status:** 4/8 – Senate Conferees appointed: Hanabusa, Chair; Chun Oakland, English, Hogue.

4/8 – House conferees appointed: Ito, Hamakawa Co-Chairs; B. Oshiro, Thielen.

## SB2447 SD1 HD1

**Measure Title:** RELATING TO CRIME REDUCTION.

**Report Title:** Crime; Illicit Drugs; Law Enforcement

**Description:** Amends electronic eavesdropping statutes. (SB2447 HD1)

**Current Status:** 4/22/04 - Conference committee meeting scheduled for 04-23-04 at 2:30 pm in conference room 325.



## Elections and Campaigns

### SB3104 SD2 HD1

**Measure Title:** RELATING TO ELECTIONS.

**Report Title:** Elections; Comprehensive Public Funding (\$)

**Description:** Establishes a comprehensive public funding program for state house of representatives candidates who agree to abide by campaign contribution and expenditure limits and meet other criteria. (SB3104 HD1)

**Current Status:** 4/16 - Senator(s) Hanabusa, Taniguchi appointed as Co-Chair(s), English, Kokubun, Hogue.

4/19 – House conferees appointed: B. Oshiro, Takamine Co-Chairs; Hamakawa, Pendleton.

## HB267 HD2 SD2

**Measure Title:** RELATING TO GOVERNMENT.

**Report Title:** Office of Elections; Campaign Spending Commission

**Description:** Allows the campaign spending commission and the office of elections to communicate directly with the legislature and the governor, to make all personnel decisions, and to purchase equipment without the approval of the comptroller. Exempts the office of elections and campaign spending commission from collective bargaining. Allows the office of elections to hire its own private attorney. Establishes a commission to oversee the office of elections. (SD2)

**Current Status:** 4/16 – Transmitted to Governor (House)

## Various

## SB3193 SD2 HD2

**Measure Title:** RELATING TO CONSUMERS.

**Report Title:** Consumers; Gasoline Price Caps (\$)

**Description:** Amends the proposed maximum pre-tax wholesale price of regular unleaded gasoline by determining the baseline price to be the national unweighted average spot price of all regular unleaded gasoline as reported by the Oil Price Information Service; repeals the maximum pre-tax retail gasoline price; and establishes maximum pre-tax wholesale prices for mid-grade and premium gasoline; establishes a task force to investigate the petroleum industry and its operations on the neighbor islands; and makes an appropriation for the auditor to carry out duties under this Act. (HD2)

**Current Status:** 4/19 - House conferees appointed: Morita, Hiraki, Takamine Co-Chairs; Marumoto.

4/22 - Senator(s) Menor, Taniguchi appointed as Co-Chair(s), Espero, Whalen.

## SB2851 SD1

**Measure Title:** PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.

**Report Title:** Felonies; Prosecution; Amendment to the State Constitution (ConAm)

**Description:** Proposes to amend article 1, section 10 of the Hawaii Constitution to allow a felony prosecution to be initiated by a criminal prosecuting officer through the filing of a signed written information setting forth the charge. (SD1)

**Current Status:** 4/8 – Enrolled to Governor (Senate)

## HB2290 HD1 SD2

**Measure Title:** RELATING TO DRIVER LICENSING.

**Report Title:** Driver Licensing; Provisional Licenses; Persons Under 18

**Description:** Establishes a 3 stage graduated driver licensing program for persons under the age of 18. Requires them to be accompanied by a licensed parent or guardian when driving between 11 p.m. and 5 a.m., with limited exceptions. Requires temporary instruction permit holders to be accompanied by a person who is at least 21, rather than 18, when driving. (SD1)

**Current Status:** 4/22 - Conference Committee Meeting will reconvene on Friday 04-23-04 at 3:45 pm in conference room 224.

## HB2020 HD1 SD2

**Measure Title:** RELATING TO PROSTITUTION.

**Report Title:** Travel Agencies; Prohibited Acts; Promoting Prostitution

**Description:** Makes it a class C felony to sell or offer to sell travel services for the purpose of promoting prostitution; authorizes suspension or revocation of travel agency registration for engaging in these acts. (SD2)

**Current Status:** 4/22 - Conference Committee Meeting will reconvene on Friday 04-23-04 at 2:30 pm in conference room 325.

## HB2743 HD2 SD1 CD1

**Measure Title:** RELATING TO NON-GENERAL FUNDS.

**Report Title:** Special Funds; Revolving Funds; Transfer of Funds

**Description:** Authorizes the transfer of excess revenues in special funds, revolving funds, and special accounts to the credit of the general fund. Reduces the balance ceiling for the Tobacco Enforcement Special Fund. Requires that all excess moneys in the State Parking Revolving Fund lapse to the credit of the state general fund. (HB2743 CD1)

**Current Status:** 4/16 – Transmitted to Governor (House)

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### Approval and Veto\*

Bills that pass the Legislature must be presented to the Governor whereupon he/she has the authority to approve or veto such bills.

For bills presented ten or more days before the adjournment of regular session, Sine Die, the Governor shall have ten days to sign, veto or let the bills become law after the expiration of ten days. In 2004, the Legislature will adjourn regular session, Sine Die, on May 6<sup>th</sup>. In computing the “ten days” prior to the date of adjournment, Saturdays, Sundays, holidays and recess days are excluded. April 21<sup>st</sup>, therefore, marks the date of “ten days” prior to the end of the 2004 regular session.

For Bills presented to the Governor *after* April 21<sup>st</sup>, the Governor has 45 days after adjournment to sign the bill into law or let it automatically pass into law at the end of this 45 day period. In calculating days after session, Saturdays, Sundays and Holidays are excluded. The 45-day deadline after session will fall on July 13<sup>th</sup>, 2004.

The Governor has 35 days (excluding Saturday, Sundays and holidays) to veto measures that have been submitted after April 21<sup>st</sup>, 2004. The veto deadline for these bills will fall on June 28<sup>th</sup>, 2004.

For bills that have been submitted to the Governor *before* April 21<sup>st</sup>, 2004, the Legislature may override measures that have been vetoed by voting during regular session with a “super-majority” or two-thirds of each house.

Bills submitted *after* April 21<sup>st</sup>, 2004 and vetoed within 35 days after the date of adjournment may be over-ridden by the legislature in special session at or before noon on the 45<sup>th</sup> business day after the adjournment of regular session. Vetoed bills may also be amended to meet the Governor's objections by passing said measures on a single reading in each house and transmitting the bill to the Governor whereupon, he/she must sign it within ten days after enrollment for enactment to occur.

\* Hawaii State Constitution, Article III, Section 16.

# LEGISLATIVE CALENDAR EVENTS

## **Second Decking: Last day to “deck” bills that were amended by the receiving (non-originating) body, April 8<sup>th</sup>**

Decking refers to a constitutionally mandated deadline by which a bill must be in its final form and made available to the members at least 48 hours prior to being voted on for passage on third reading. In this case, “Second Decking” happens in the non-originating body. For example, a House bill must be “decked” by the Senate by the end of this day.

Article III, Section 15 of the Hawaii State Constitution states, in part:

No bill shall pass third or final reading in either house unless printed copies of the bill in the form to be passed shall have been made available to the members of that house for at least forty-eight hours.”

## **Second Crossover: Last day for third reading of bills that were amended by the non-originating chamber, April 15<sup>th</sup>**

Second Crossover refers to the last day on which third reading can be held on measures that were amended by the non-originating body. This deadline is referred to as a “crossover” because bills that were amended by the non-originating body must be sent back to the body of origin for agreement. Bills that were not amended by the non-originating chamber can be transmitted directly to the governor for approval and do not require agreement by the originating body.

## **Disagree: Last day to disagree with the other chamber’s draft of bills, April 15<sup>th</sup>**

Either house can disagree to amendments made to its bill by the other body. This is the last day to exercise this right. Bills that are “disagreed” to will go to conference committee.

## **Deadline for final form of constitutional amendments, April 22<sup>nd</sup>**

This is the last day for final decking of constitutional amendments.

Final Decking is the last day to deck bills for final reading. Final Decking generally applies to bills amended by the non-originating body and whose differences have been resolved either by a conference committee or reconsideration by the originating body. Final Decking also applies to bills that were not amended by the non-originating body.

## **Last day to file non-fiscal bills to deck for Final Reading, April 29<sup>th</sup>**

This is the last day to file non-fiscal bills for Final Decking.

## **Last day to file fiscal bills to deck for Final Reading, April 30<sup>th</sup>**

This is the last day to file fiscal bills for Final Decking.

## **Adjournment Sine Die, May 6<sup>th</sup>**

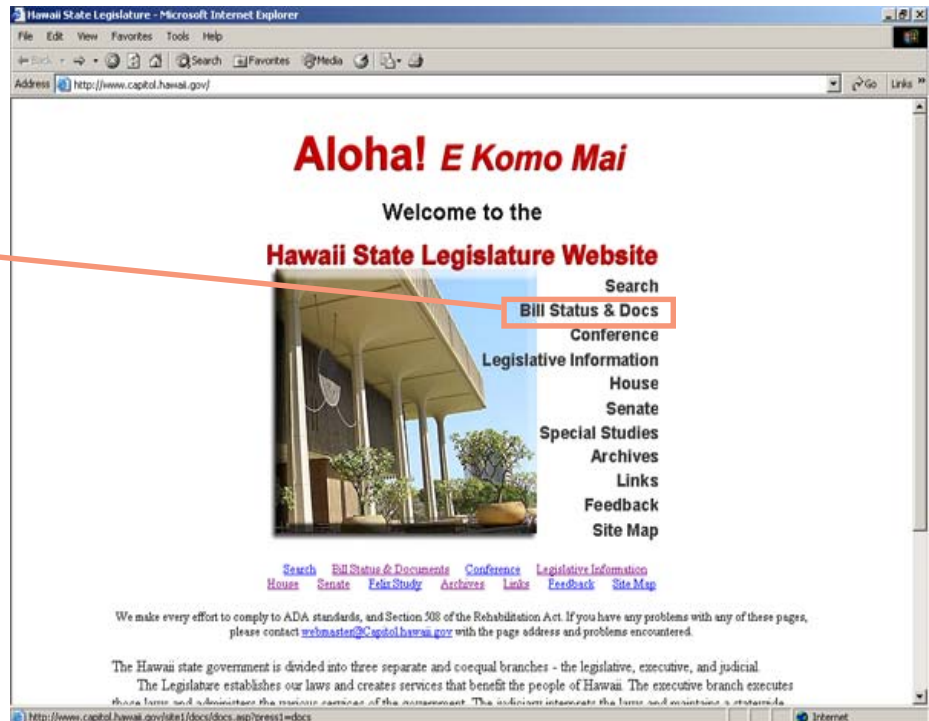
This is the last day for votes to be taken on bills up for Final Reading and on resolutions up for adoption. It is the last day of the 2004 legislative session.



# HOW TO TRACK BILLS THAT HAVE PASSED A GIVEN LEGISLATIVE DEADLINE

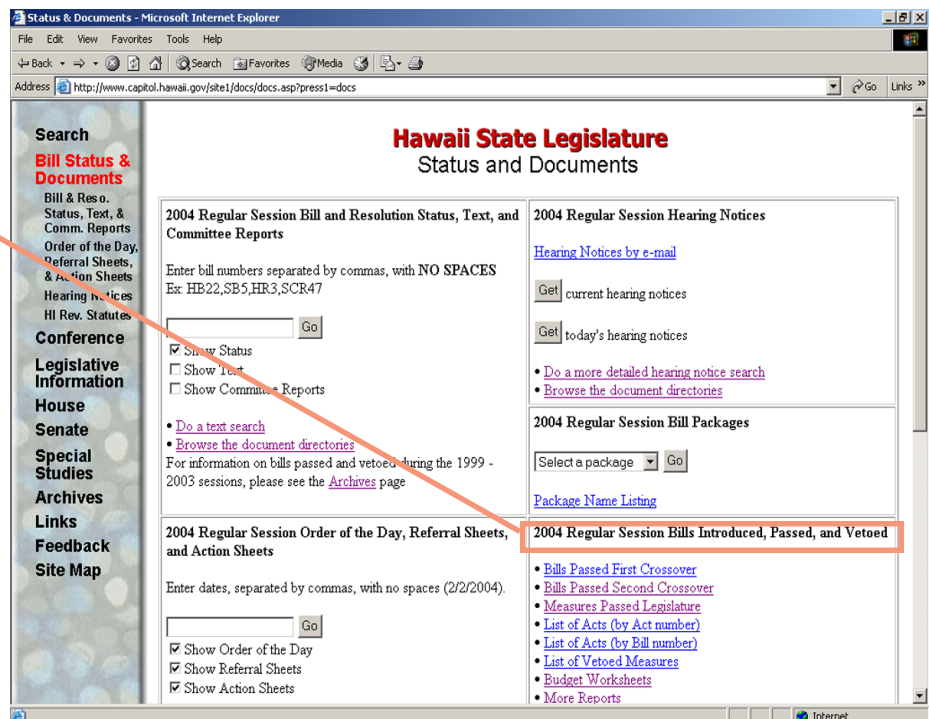
1. Log onto the Legislature's website at [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov)

2. Click on the "Bill Status and Docs" Link



3. On the lower-right hand side of the screen you will find a section with the title: "2004 Regular Session Bills Introduced, Passed, and Vetoed"

4. From this point, you can search for a number of different measures, which are grouped by deadline headings.

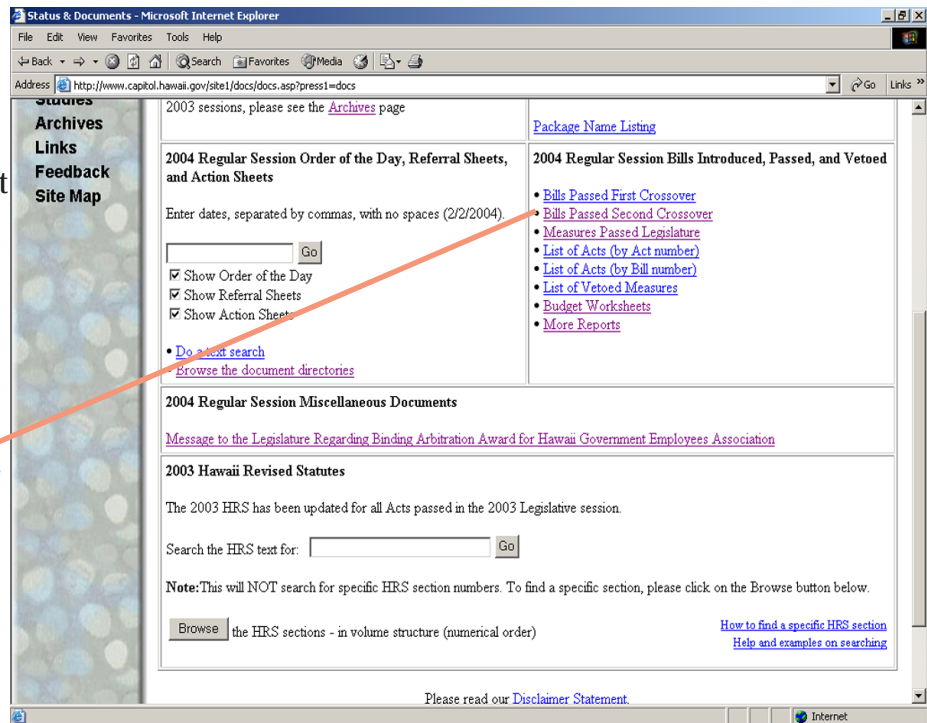




## How to find a bill that has passed Second Crossover

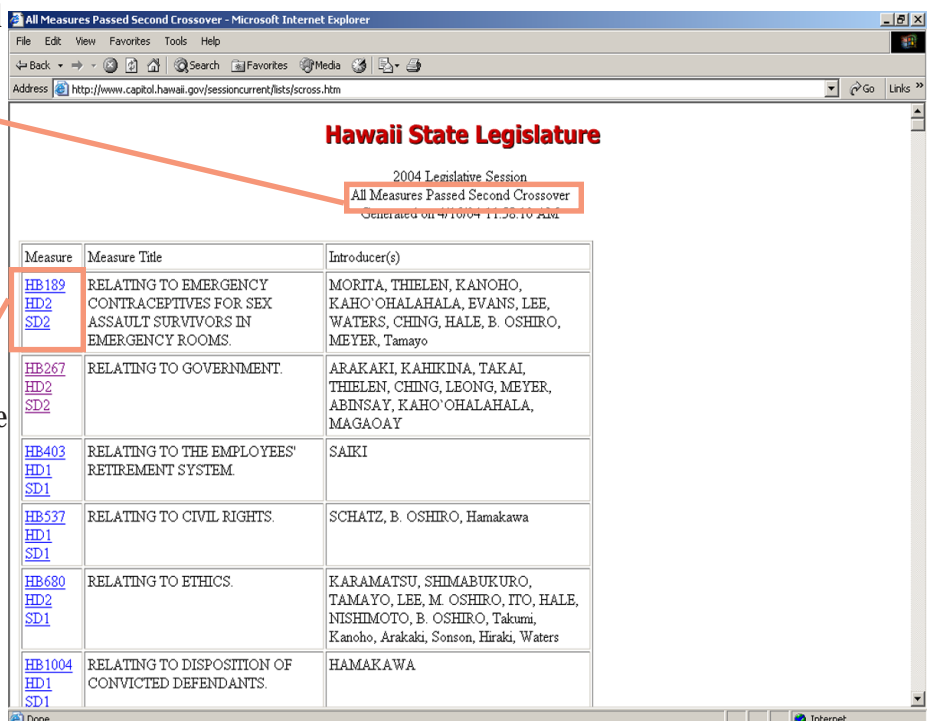
5. In order to find a bill that has passed through “Second Crossover”, follow the directions to get to the "2004 Regular Session Bills Introduced, Passed, and Vetoes" section in Status and Docs.

6. Click on the link entitled: “Bills Passed Second Crossover”.



7. Bills will be listed in numerical order, House Bills followed by Senate Bills. To view a particular bill that has passed this deadline, scroll down the page until you find the particular bill number you are looking for.

8. You may view the status(the measure's history) of the bill by clicking on the bill number on the left side of the entry.



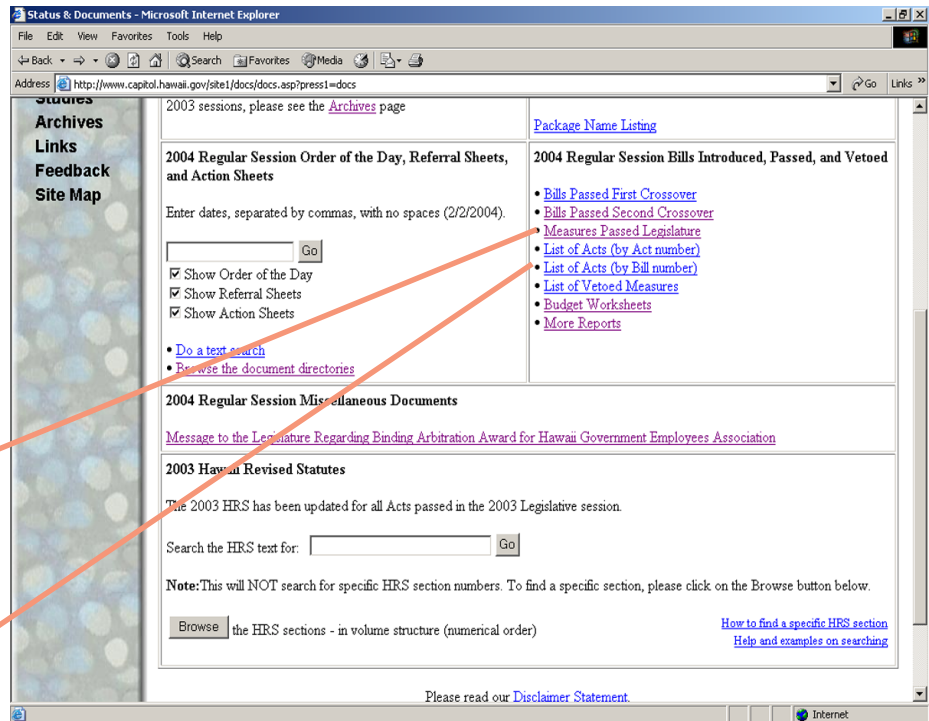
## How to find an Act

9. To find a particular act from this session, you can do so in two different ways.

10. Follow the directions to get to the "2004 Regular Session Bills Introduced, Passed and Vetoes" section of Status and Docs.

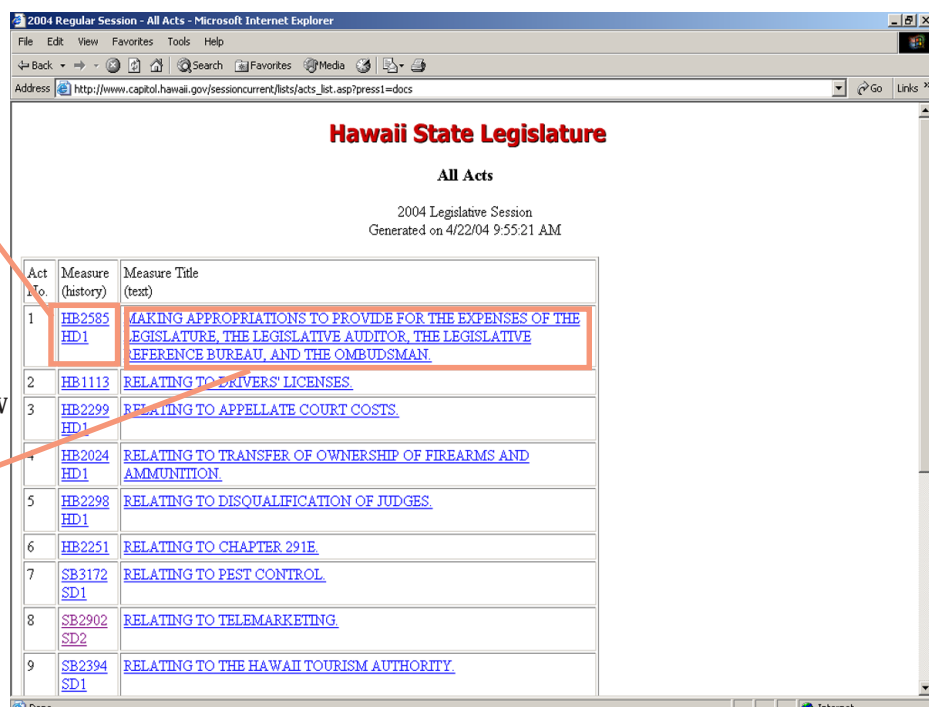
11. To search for an act by Act Number, simply click on the "List of Acts (by Act Number)" link.

12. To search for an act by Bill Number, click on the "List of Acts (by Bill Number)" link.



14. By clicking on the Measure Number, you may view the Measure History - the actions that took place regarding the bill.

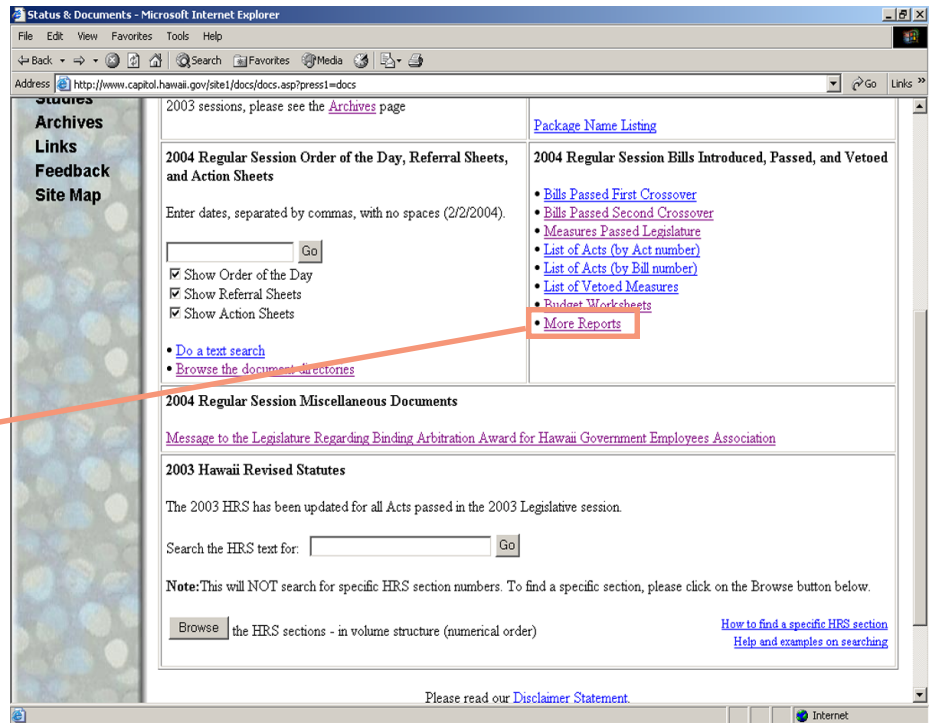
15. By clicking on the Measure Title option, it is possible to view the text of the final version of the specified bill that was enacted.



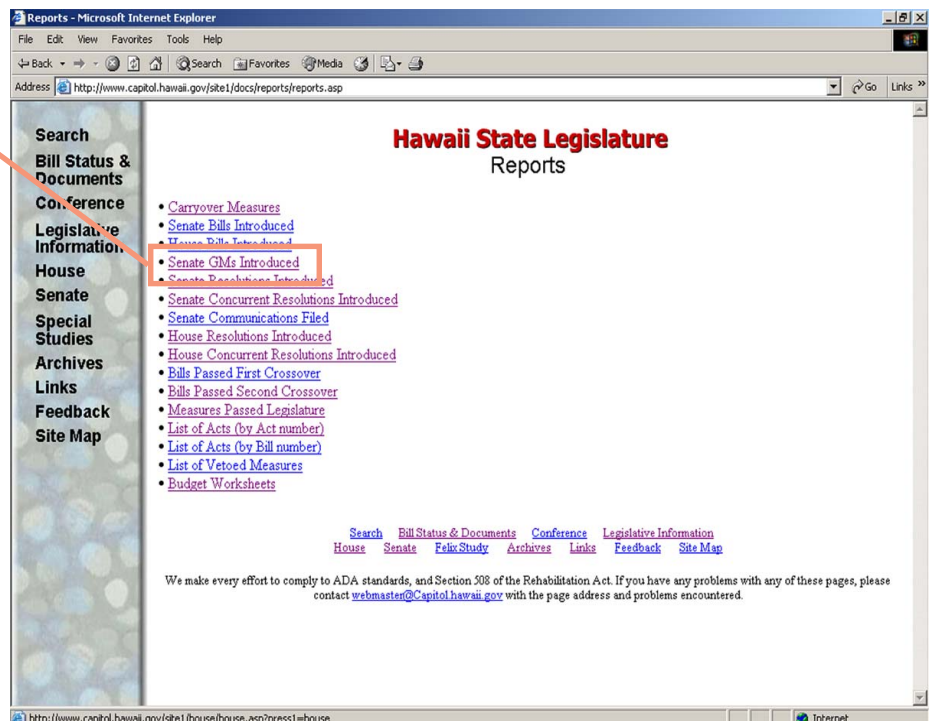
## How to find Senate GM's Introduced

16. Follow the directions to get to the “2004 Regular Session Bills Introduced, Passed, and Vetoes” section in Status and Docs.

17. At the bottom of the list there is an option to view “More Reports”. Click on that link to get information on a number of other areas of interest.



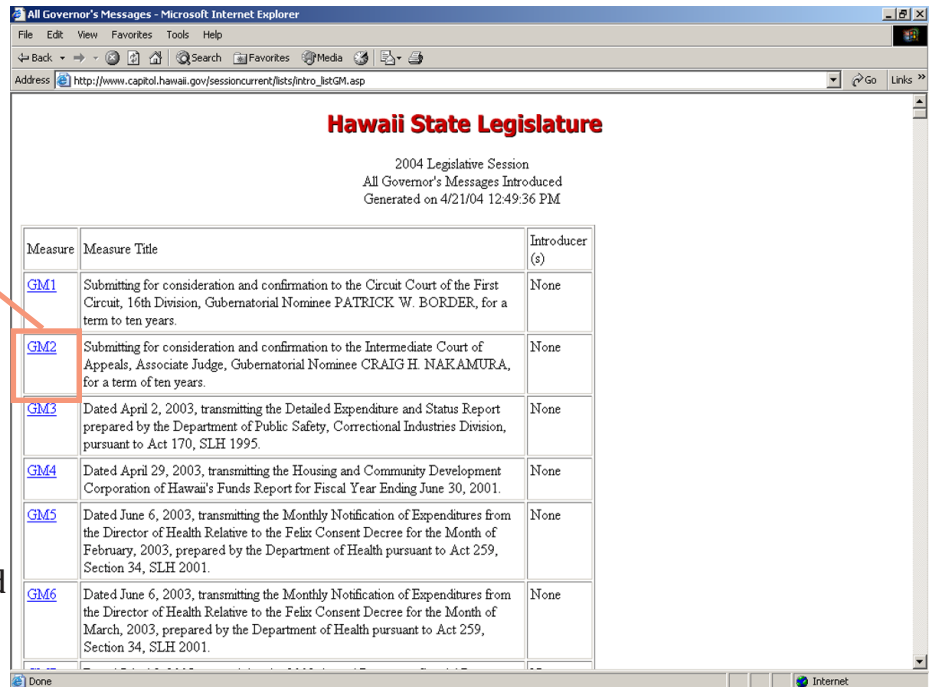
18. Once you have reached that page, look for the link titled: “Senate GM's Introduced.”



19. You will come to a page that lists all the GM's in numeric order. Scroll down the page until you find the Governor's Message you are looking for.

20. To view the status of the GM, click on the GM number in the column on the left.

21. Governor's Messages are usually used to appoint gubernatorial nominees to various state boards and commissions, which the Senate must then "advise and consent" for approval.



**Hawaii State Legislature**  
2004 Legislative Session  
All Governor's Messages Introduced  
Generated on 4/21/04 12:49:36 PM

Measure	Measure Title	Introducer(s)
<a href="#">GM1</a>	Submitting for consideration and confirmation to the Circuit Court of the First Circuit, 16th Division, Gubernatorial Nominee PATRICK W. BORDER, for a term to ten years.	None
<a href="#">GM2</a>	Submitting for consideration and confirmation to the Intermediate Court of Appeals, Associate Judge, Gubernatorial Nominee CRAIG H. NAKAMURA, for a term of ten years.	None
<a href="#">GM3</a>	Dated April 2, 2003, transmitting the Detailed Expenditure and Status Report prepared by the Department of Public Safety, Correctional Industries Division, pursuant to Act 170, SLH 1995.	None
<a href="#">GM4</a>	Dated April 29, 2003, transmitting the Housing and Community Development Corporation of Hawaii's Funds Report for Fiscal Year Ending June 30, 2001.	None
<a href="#">GM5</a>	Dated June 6, 2003, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of February, 2003, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001.	None
<a href="#">GM6</a>	Dated June 6, 2003, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of March, 2003, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001.	None

## PAR WORKSHOPS

**The Public Access Room of the Hawaii State Legislature offers a series of workshops for the public on a number of topics that pertain to the legislature. The workshops that are available are listed here. They are typically held in the Public Access Room (room 401 in the State Capitol). We can also conduct them in your community based upon the number of attendees and the availability of a suitable venue. If you are interested in learning more about the workshops, please contact the Public Access Room at 587-0478.**

**Legislative Process** – Learn about the Legislative Timetable, Deadlines, Readings, Conference Procedures, and internal rules of the House and Senate.

**Useful Internet Sites** – Learn about the research tools available on-line including the legislature's website and the State government website.

**How to Lobby and Testify** – Learn some useful tips and strategies for successful lobbying and advocacy. Learn how to write effective testimony, as well as protocols and rules for submission.

**Reading and Understanding Legislative Documents** – Learn how to read and understand legislative documents including Orders of the Day, Hearing Notices, Bills and Resolutions, Referral Sheets, Journals and Governor's Messages.